

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

MICHAEL J DANIELS, ET AL.,

Plaintiffs,

vs.

AETC II PRIVATIZED HOUSING, LLC,
ET AL.,

Defendants.

§
§
§
§
§
§
§
§
§
§

5-19-CV-01280-RBF

ORDER SETTING IN-PERSON HEARING

Before the Court is the status of this case, which was reassigned for disposition following the consent of all parties. *See* Dkt. No. 267; 28 U.S.C. § 636(c). This case is presently set for trial to begin on June 5, 2023. *See* Dkt. No. 370. At the final pretrial conference held on June 1, 2023, counsel for Defendants informed the Court of a press release issued by the Law Offices of James R. Moriarty, counsel for Plaintiffs, referencing the present litigation. There is no formal motion before the Court, but Defendants have argued that the press release violates Rule 3.07 of the Texas Disciplinary Rules of Professional Conduct. Attorney James R. Moriarty, who is quoted in the press release, was not present at the final pretrial conference or for any other hearing before the Court to date. For the reasons stated at the hearing, the Court has concerns regarding trial publicity and any future press releases or similar communications about the litigation that may occur before or during trial in this or any of the related matters for which separate trials are contemplated.

IT IS ORDERED that this case is set for a hearing on **June 2, 2023, at 3:00 p.m.** at the United States Courthouse, 262 West Nueva, San Antonio, TX 78207. Counsel should check the

monitors in the courthouse lobby on the day of the hearing to determine the assigned courtroom.

Attorney James R. Moriarty is **ORDERED** to appear **in-person** for the hearing.

IT IS SO ORDERED.

SIGNED this 1st day of June, 2023.

A handwritten signature in blue ink, appearing to read 'RBF', is written over a horizontal line.

RICHARD B. FARRER
UNITED STATES MAGISTRATE JUDGE